

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

LEROY THOMAS : CIVIL ACTION
a/k/a JOHN WAYNE :
vs. :
JEFFREY BEARD, et al. : NO. 07-CV-1067

ORDER

AND NOW, this 18th day of November, 2010, upon consideration of the pleadings and the record herein, and after review of the Report and Recommendation of M. Faith Angell, United States Magistrate Judge and Petitioner's objections and Petitioner's Pro Se Supplement Objections thereto, it is hereby ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED.
2. Mr. Thomas' Habeas Petition is DENIED and DISMISSED without an evidentiary hearing.
3. There is no probable cause to issue a certificate of appealability.

BY THE COURT:

s/J. Curtis Joyner
J. CURTIS JOYNER, J.